

FILED 07 AUG 28 11 2006 PM ORP

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ERNA E.N. BOLDT,

07-CV-0008-PK

Plaintiff,

ORDER

v.

**HARDY MYERS, BRENDA
DURBIN, and CRAIG ROBERTS,**

Defendants.

ERNA E.N. BOLDT
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Sandy, OR 97055
(503) 343-9552

Plaintiff, *Pro Se*

HARDY MYERS
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BROWN, Judge.

Magistrate Judge Paul Papak issued Findings and Recommendation (#33) on July 6, 2007, in which he recommended the Court grant Defendant Hardy Myers's Motion to Dismiss (#6) with prejudice, grant the Motion to Dismiss (#18) of Defendants Brenda Durbin and Craig Roberts with prejudice, and deny Plaintiff Erna E. N. Boldt's Motion for Default Judgment (#13) against Defendant Roberts. Plaintiff filed timely objections to the Findings and Recommendation. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b).

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1). *See also United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988); *McDonnell Douglas Corp. v. Commodore Business Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982).

Plaintiff's Objections generally reiterate the arguments contained in her Response brief. The Court has carefully considered Plaintiff's objections and concludes they do not provide a basis to modify the Findings and Recommendation. This Court also has reviewed the pertinent portions of the record *de novo* and does not find any error in the Magistrate Judge's Findings and Recommendation.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Papak's Findings and Recommendation (#33) and, accordingly **GRANTS** Defendant Hardy Myers's Motion to Dismiss (#6) **with prejudice**, **GRANTS** the Motion to Dismiss (#18) of Defendants Brenda Durbin and Craig Roberts **with prejudice**, and **DENIES** Plaintiff Erna E. N. Boldt's Motion for Default Judgment (#13) as to Defendant Roberts.

IT IS SO ORDERED.

DATED this 27th day of August, 2007.



ANNA J. BROWN
United States District Judge